

Withdrawal/Redaction Sheet
Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Ddreyer to Stephanopoulos, re: AA Speech - Notes to George (2 pages)	7/11/1995	P5

COLLECTION:

Clinton Presidential Records
WHORM - Subject File General
HU012
OA/Box Number: 23362

FOLDER TITLE:

120182

Whitney Ross
2008-0308-F
wr858

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

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COPY

ddreyer

From: ddreyer
To: Stephanopoulos (9)
Subject: A.A. Speech - Notes for George
Date: Tuesday, July 11, 1995 10:14AM

I am not sure I understand the positioning, for starters. Apart from the changes in procurement, which are obviously significant, it seems that we are defending much of the existing system. If that is the case, I don't think we are getting enough out of it with the audience that should be happy about it. At the same time, while the President has been eloquent on prior occasions on the issue of why white men are angry, it seems to have been inserted as an afterthought. Across the board, I think it lacks passion, and the kind of detail that an advocacy statement should have to be persuasive. What is the story that the speech is supposed to tell? Where is the self-help component of Memphis? Where is the sense of challenge that seemed to come -- perhaps this is a bad example -- with Souljah?

Specific ideas. The treatment of the South is incomplete. I think it can be argued that the South, because it was the site of so many searing battles on civil rights, is the one region of the country most advanced in terms of race relations. And, if that is true, then a son of the region should say that.

I thought the paragraph that begins "There remains a side of America that we don't like to show to the rest of the world...." is awfully weird. It is wordy, but not specific; it seems to be an aside, a throw-away.

The narrative needs to be strengthened. In the next paragraph "Yet that is what some people want to do. We are destined to become a society heavy with the burden of a citizenry that is undereducated, etc." That is not set up by any facts and figures that talk about the costs and consequences of discrimination against blacks. And therefore it is not apparent why we are arguing that diversity is our greatest asset. It doesn't follow. Perhaps we should point to the Balkans where societies are atomized and then shoot at each other when people of different backgrounds do not surrender their differences, I don't know.

The next step in the storyline is that the legacy of discrimination included African Americans not having a full economic partnership. [Here, the President's language from the Memphis speech on the redemptive powers of work would be good -- or something with that kind of feeling.] But language about ownership and profits and the liberating qualities of capitalism would be good here (this idea is at least meant to be the antithesis of dependence, isn't it?).

Why are the changes in procurement signposted more? Isn't the President announcing the biggest changes in government procurement policy in thirty years? If he is, why is it expressed so bureaucratically and non-chalantly. Or, alternatively, if we are resisting a trend started this term by the Supreme Court, say that. This passage seems balanced between the two, and therefore feels no where.

Bottom of page four. Area of special concern. Presumption against an employer taking race or gender. I support taking diversity into account as a matter of law. But not as a matter of policy. What are these three paragraphs trying to say? Where does he now come down vis-a-vis the New Jersey teachers' decision. I think this section needs to be clarified, because you run the risk of a slick problem.

COPY

The passage on income inequality seems buried and half-hearted, and it seemed so central to his analysis of race during the campaign. I would insert at least a foreshadowing of these ideas in the front.

Sorry this sounds so pissy. I know you would like to move on to something better. Senate testimony perhaps? Love, D2

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	Janice Lachance to Jason Goldberg, re: Minority Discharge Issue (3 pages)	4/21/1995	P5
002. letter	Donna Neely et al. to POTUS (1 page)	02/02/1996	P6/b(6)
003a. letter	Joseph Campell to Kathleen Connelly (4 pages)	07/19/1995	P6/b(6)
003b. memo	Kathleen Connelly to Lawrence Lucas (2 pages)	06/16/1995	P6/b(6)
003c. letter	Bernard Benton to Lawrence Lucas (1 page)	06/24/1995	P6/b(6)
003d. list	Case summaries of complaints (1 page)	02/02/1996	P6/b(6)
003e. letter	Dan Schaefer to Bernard Benton (1 page)	06/15/1995	P6/b(6)
003f. letter	Johnny Brown to Lawrence Lucas (1 page)	06/24/1995	P6/b(6)
003g. letter	Rudolph Brown to Lawrence Lucas (1 page)	06/24/1995	P6/b(6)
003h. letter	William Haring to Elizabeth Estill (3 pages)	01/12/1994	P6/b(6)
003i. letter	William Haring to Elizabeth Estill (4 pages)	02/09/1994	P6/b(6)
003j. letter	Elizabeth Estill to William Haring (4 pages)	03/03/1994	P6/b(6)

COLLECTION:

Clinton Presidential Records
Cabinet Affairs
Kitty Higgins
OA/Box Number: 8996

FOLDER TITLE:

Box 1, Folder1: [Affirmative Action - March 20, 1995 to May, 22, 1996] [1]

Whitney Ross
2008-0308-F
wr485

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
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003k. letter	George Morgan to Lawrence Lucas (1 page)	06/26/1995	P6/b(6)
004a. letter	Wardell Townsend to Donna Neely (2 pages)	04/03/1995	P6/b(6)
004b. complaint decision	EEO Complaint of Donna Neely (4 pages)	n.d.	P6/b(6)
005a. letter	Wardell Townsend to Donna Neely (1 page)	10/23/1995	P6/b(6)
005b. complaint decision	EEO Complaint of Donna Neely (8 pages)	11/01/1993	P6/b(6)
006a. letter	Wardell Townsend to Donna Neely (1 page)	10/23/1995	P6/b(6)
006b. complaint decision	EEO Complaint of Donna Neely (4 pages)	01/04/1994	P6/b(6)

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UNITED STATES
OFFICE OF PERSONNEL MANAGEMENT
WASHINGTON, D.C. 20415

OFFICE OF THE DIRECTOR

APR 21 1995

MEMORANDUM FOR JASON GOLDBERG
STAFF ASSISTANT
CABINET AFFAIRS

THROUGH: MICHAEL CUSHING
CHIEF OF STAFF

FROM: JANICE LACHANCE
DIRECTOR OF COMMUNICATIONS AND POLICY

SUBJECT: Minority Discharge Issue

I. SUMMARY OF FACTS

-- In response to a FOIA request from Knight-Ridder newspapers in early 1994, OPM provided a statistical report from our Central Personnel Data File (CPDF) on discharges in federal employment.

-- The data revealed that, of the nearly 12,000 federal employees discharged in fiscal year 1992, minorities were discharged at a rate of 3.1 times the rate of non-minorities.

-- OPM's final report on this issue, released to the media on April 19, featured a statistical analysis conducted by Dr. Hilary Silver of Brown University which concludes that after controlling for all the variables tracked by the CPDF, race is one of the top five best predictors of termination. The other predictors are grade, promotion history, performance appraisals and awards.

-- Variables that are not part of the CPDF and, therefore, not part of Dr. Silver's study include pre-employment history, substance abuse, record of conforming to implicit workplace norms, and performance in school.

-- The statistics for fiscal years 1993 and 1994 reflect a continuing disparity in discharge rates. The disparity ratios are:

FY 1993	3.2
FY 1994	3.3

-- Because the statistics are not improving, OPM has worked to limit discussion and media coverage of this issue to fiscal year 1992 statistics. We have been successful to date.

II. CLINTON ADMINISTRATION ACCOMPLISHMENTS

-- The Clinton Administration is the first administration to: confront the issue; develop an 18-point action plan in an attempt to uncover the underlying causes of disparity; organize an inter-agency working group to study the problem; cooperate with an independent researcher, Dr. Hilary Silver of Brown University, in an unprecedented statistical examination of the disparity.

-- OPM's 18-point action plan was announced February 4, 1994, to provide a multi-disciplinary approach to discovering the reasons for the disparate discharge rate. Its four major components were: statistical reviews, OPM discharge environment reviews, agency actions, and employee and supervisory training initiatives.

-- In the year since the action plan was released a number of promising best practices have emerged across government. They include:

-- DEPARTMENT OF THE NAVY AT PARRIS ISLAND: Civilians at this installation have used teams of specially trained neutral facilitators to resolve conflicts in the workplace when they first arise. The use of early intervention, creative approaches to discipline, and alternative dispute resolution are reported to have prevented some 100 claims of unfair labor practices and, of the 800 contacts with the EEO office, only five employees filed formal complaints.

-- DEPARTMENT OF LABOR: Exit surveys are sent to all full-time employees who leave the Department voluntarily. Labor uses the responses to determine whether there are common reasons why employees choose to leave and whether different groups of employees cite different reasons.

-- DEPARTMENT OF TRANSPORTATION: DoT is developing "cultural" audits to assess the degree to which organizational units treat all employees fairly. These audits include: orientation programs for both managers and employees, focus groups with selected employees, face-to-face interviews, confidential surveys, data analysis, and feedback to the organization.

III. RECOMMENDATIONS

-- On the basis of both quantitative and qualitative findings, OPM recommends that agencies take the following actions:

-- SUPPORT. OPM recommends that agencies develop ways to help employees and supervisors resolve problems. Specific techniques include: designating skilled counselors, coaches, or mentors who are available to help employees on a

voluntary basis; and, providing a team of trained staff to help managers resolve disputes early and informally.

-- **TRAINING.** OPM recommends that agencies assess the training needs of their employees and provide training where appropriate. Specific kinds of training that may reduce disparate discharge rates include:

Training for new employees about expected work behaviors. This may be a part of new employee orientation programs.

Training for all employees about cultural differences, the value to the organization of having a diverse workforce, and effective strategies for dealing with people from different backgrounds.

Training for supervisors in communicating with employees, especially in providing feedback and counselling to employees at the first sign of problem behavior or poor performance.

Training for supervisors, managers, personnel staff, equal employment opportunity staff, union officials, and others in alternative dispute resolution techniques.

-- **MONITORING AND FEEDBACK.** OPM recommends that agencies regularly monitor their personnel actions to determine whether they are equitable. While many agencies have internal evaluation programs in place, it is important that these programs include ways of capturing indicators related to disparity, and communicating the information to managers and employees. Specific techniques include:

Reporting data about discharge rates, and other personnel actions, by group.

Conducting employee surveys to gather information about perceptions of organizational climate.

Conducting exit interviews with former employees to ask why they left and their ideas for improvement.

-- **ACCOUNTABILITY.** OPM recommends that agencies hold managers and supervisors accountable for taking personnel actions fairly. Agencies can use the information from the monitoring and feedback activities to hold supervisors and managers accountable.

cc: George Stephanopoulos

Attachment

Withdrawal/Redaction Sheet

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	Richard Hayes to Alexis Herman, re: Affirmative Action (4 pages)	3/5/1996	P5

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Kitty Higgins
OA/Box Number: 8996

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Box 1, Folder 1: [Affirmative Action - March 20, 1995 to May 22, 1996] [2]

Whitney Ross
2008-0308-F
wr861

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MEMORANDUM FOR ALEXIS HERMAN

FROM: Richard Hayes *EH*
RE: Affirmative Action
DATE: March 5, 1996

You requested that I set-up a meeting on affirmative action to review our next steps. A meeting has been scheduled for Wednesday, March 6, 1996, 1 a.m. in Leon's office. Leon Panetta, Harold Ickes, Jack Quinn, John Hilley, George Stephanopoulos, Marvin Krislov and Kumiki Gibson will be attending the meeting. In the remainder of this memo, I have summarized the issues and the decisions that need to be made and the actions we have taken to date.

Policy/Political Issues to be Addressed:

1. Announcement of the Administration decision on affirmative action procurement;
2. Administration's legislative strategy on affirmative action;
3. Decoupling of 8(a) changes from affirmative action procurement proposal;
4. Issuing Administration's Executive Order on empowerment contracting;
5. Presidential forum to reaffirm support for affirmative action programs.

Affirmative Action Background:

Since the President's July 19, 1995 speech on affirmative action, the Administration, under the general direction of the Attorney General, has:

(i) undertaken a review of affirmative action programs that use race, ethnicity or gender as a consideration to expand opportunity or provide benefits to members or groups that have suffered discrimination;

(ii) conducted an evaluation of programs that use race or ethnicity in decisionmaking to figure out if they comport with the Supreme Court's strict scrutiny standard; and

(iii) suspended the Rule of Two Program at the Defense Department October 23, 1995, for failing to meet the narrow tailoring requirements set out in Adarand Constructors V. Pena.

for failing to meet the narrow tailoring requirements set out in Adarand Constructors V. Pena.

Thus far, the Administration has taken the following actions to "mend, but not end" affirmative action programs that do not meet the President's directive or the standards set by the court:

(i) Defense has developed a set of four proposals that are intended to help offset the negative economic impact on SDBs from suspending the Rule of Two — despite several meetings on this issue, the minority business community remains unhappy with the Defense Department staff and will probably be equally displeased when the proposals are issued as an interim final rule around March 15, 1996;

(ii) Justice issued a memorandum to General Counsels February 29, saying that the strict judicial scrutiny requirements of Adarand will not require major modifications in the way federal agencies have been carrying out affirmative action policies in federal employment — Federal agencies have long been subject to the standards of Title VII of the 1964 Civil Rights Act, which prohibits discrimination based on race or ethnicity in employment and imposes limits on the use of affirmative action in the workplace;

(iii) Justice has developed a framework to reform affirmative action in federal procurement that is designed to ensure compliance with the constitutional standards established by the Supreme Court — The proposal affirms that the continued use of race and sex preferences in federal procurement decisions meets a compelling government interest; several significant technical issues remain outstanding and need to be addressed, but the general reaction from the vetting we have done to date is that the proposal represents a reasonable way to go. [Ann Devroy is writing a story about this that may appear in the Washington Post on Thursday, March 7 -- one of the GCs leaked this information to her after we did a briefing for them last week];

(iv) Justice has defended the constitutionality of the 8(a) program in one of two post-Adarand challenges to affirmative action programs, while SBA continues to improve its efficiency and general effectiveness — the most recent case, Dynalantic v. United States Department of Defense and United States Small Business Administration is being argued March 8, 1996, in the United States District Court for the District of Columbia;

(v) Justice is continuing to review the use of affirmative action in federal grants and the process by which states set goals in affirmative action procurement — there review is expected to continue for another month or two; and

(vi) The Vice President's office has drafted an Executive Order on Empowerment Contracting that would provide price or evaluation preferences to qualified businesses that are located in areas of general economic distress or that hire a significant number of residences from such an area — In the mean time, Senator Bond introduced the "Hub Zone Act of 1996" (S. 1574) February 23, 1996, to provide Federal contracting opportunities for small business concerns located in historically underutilized business zones. Our constituents generally support our proposal, but not that proposed by Senator Bond because his bill requires that a percentage of all prime contracts would be required to be awarded to businesses located in these hub zones.

Over the past few weeks, extensive consultations have been held with representatives of the Civil Rights Community, minority businesses, women's groups, and Hill members and committee staff representing the Congressional Black Caucus, Congressional Hispanic Caucus, Constitution Subcommittee, Small Business Committee, Women's Caucus, Asian-Pacific Caucus, Judiciary Committee, and the Government Operations Committee. These meetings generally focused on Justice's procurement reform proposal, and to a limited degree, SBA's proposals to reform the 8(a) program. We also solicited advice on how we should proceed in light of the following events: (i) Rep. Canady (Florida) is marking up his bill to outlaw affirmative action programs ("Equal Opportunity Act of 1995") Thursday, March 7, 1996 — the bill is expected to pass out of subcommittee and possibly the full committee (but not into April), but it's not clear what will happen in the full House. Dole and others have introduced similar bills, but Canady's bill is the only one that is moving at this time; and (2) Rep. Jan Meyers (Kansas) is expected to renew her efforts to suspend use of the 8(a) program — Phil Lader rejected her most recent request to do so, but she is expected to keep on trying.

The consensus between Hill members and staff is the Administration should announce its position on procurement reform. The members are anxious to have something that they can point to in the light of Canady's actions, although our proposal is not an answer to Canady. It was felt that it was better for us to get out in front of Canady's efforts, so we don't look like we are playing catchup. It was also advised that we try to find "blue-dogs" to support our position. Rep. LaFalce is also encouraging us to do something on 8(a) although he would probably be happy with our efforts to improve the efficiency of the program, routing out fraud and abuse, etc.

Members of the Civil Rights Community and minority businesspeople are generally supportive of our actions if they are in response to the Court, but draw the line about going further. They are adamant that we not make any major structural changes to the 8(a) program this year, since the Justice Department has taken the position that the program meets the constitutional test. Their "joint" position is that whatever we do is not going to satisfy Rep. Meyer, so why start down that path. They argue that the Administration should defend the programs and they are willing to help. We met with Ellie Smeal and the Feminist Majority last week group about affirmative action activities in California and seventeen other states (which are also aimed at eliminating preferences for women). They are recruiting women from 100 college campuses to go to California and conduct voter registration and affirmative action campaigns. All of the groups are also quite concerned that we not set up a situation where "white women and black men are fighting over a shrinking piece of the pie."

Key Features of Justice's Procurement Reform Proposal

The Justice Department's procurement reform proposal relies on the use of "benchmarks", estimated by regression analysis for each industry for the entire government, that will represent the level of minority contracting that one would expect to find in a market absent discrimination or its effects. Under the reform structure, federal agencies will, subject to the benchmarks, be able to use several race-conscious contracting mechanisms: SBA 8(a) program; a bidding credit for

SDB prime contractors; and an evaluation credit for non-minority prime contractors that use SDBs in subcontracting. The 8(a) program will continue to provide for sole source contracting and sheltered competition for 8(a) firms subject to the benchmark limits. Agencies will also undertake a variety of information, technical assistance, outreach activities designed to make minority firms aware of contracting opportunities and to take advantage of those opportunities.

Other information features of the proposal include:

- o 8(a) participants will qualify automatically for SDB programs and 8(d) subcontracting — others can establish their eligibility by submitting required statements and documentation and being certified by an SBA approved agency;
 - o Members of designated minority groups will continue to benefit from the statutorily mandated presumption of social and economic disadvantage — others can do so by submitting clear and convincing evidence;
 - o Every applicant will be required to submit with each bid a certification from an SBA approved organization that the business is owned and controlled by the designated socially and economically disadvantaged individuals;
 - o Procedures for SBA to make an eligibility determination within 15 days for all protests about an SDB's eligibility; and
 - o Tough criminal penalties including fines, imprisonment and debarment against individuals who present fraudulent information or use an SDB as a front in order to obtain contracts.
-

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	Alexis Herman to the POTUS and VPOTUS, re: Affirmative Action Procurement Reform (6 pages)	4/8/1996	P5
002. telefax	Ginger Lew to Kitty Higgins and Alexis Herman (2 pages)	03/28/1996	P5, P6/b(6)
003. memo	Richard Hayes to Kris Balderston, re: Affirmative Action (1 page)	4/12/1996	P5
004. list	Status of Affirmative Action Activities (2 pages)	4/19/1996	P5

COLLECTION:

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Cabinet Affairs
Kitty Higgins
OA/Box Number: 8996

FOLDER TITLE:

Box 1, Folder 1: [Affirmative Action - March 20, 1995 to May 22, 1996] [3]

Whitney Ross
2008-0308-F
wr476

RESTRICTION CODES

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Freedom of Information Act - [5 U.S.C. 552(b)]

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EXECUTIVE OFFICE OF THE PRESIDENT

12-Apr-1996 10:10am

TO: Kris Balderston
TO: Holly Carver

FROM: Richard Hayes
Office of Public Liaison

CC: Richard Hayes

SUBJECT: Affirmative action

Kris, I will check with Alexis, but I would offer the following suggestions:

- 1) make a decision as to whether there needs to be a cabinet level discussion about the proposal with/without the President and Vice-President before it is published. Such a meeting would give the President the opportunity for him to make it clear to them that he is still serious about affirmative action and he wants them to commit their agencies to following through on this commitment.
- 2) Possibly working through the PMC, have the agencies make affirmative action a priority with respect to procurements this year. There also needs to be a working group that will take on working out the specifics of putting the procurement reform package online in time for the next fiscal year. Alexis asked Bill Coleman to chair a small group of experts, but this effort needs to be a priority of the Deputy Secs.
- 3) Commerce has the lead on developing the benchmarks for the new proposal. This is a big effort and needs to get started. They are also going to need money to carry out.
- 4) Need to think about amplification events the cabinet can do to help get the message out when the proposal is released.

Richard

Status of Affirmative Action Activities - 4/19/96**1. SBA**

-- Ginger Lew conducting interviews for John Whitmore's replacement (Associate Deputy Administrator) today; she expects to select replacement within one week - 10 days. Whitmore would be moved once his replacement is chosen.

-- Judith Rosseu -- per Ginger, we will deal with her once they select Whitmore's replacement.

-- Weldon has recommended (Hopson?) for the Counselor's position. -- check status.

2. Defense

-- Placement of OSDBU office -- White House should tell them to leave it where it is and not have it placed under P. Haepfer. Dellums has expressed his concern about doing otherwise -- is going to be calling Kiminisky per Dorothy Robyn (NEC). Whit Peters agrees.

-- Bob Neal ready to move from GSA to DOD -- can be accomplished in a matter of minutes, once issue of Office location is settled.

-- Replacement rules at OIRA. Would: (1) extend 10% price preference to all awards except construction; (2) pilot project to remove "bond differential" from construction bids for SDBs; and (3) increase consideration urged for bids from prime contractors with binding SDB subcontracts; and (4) notification of SDB replacement with removal for cause.

-- "Unbundling" policy -- agreement with Kelman to let DoD proceed; need to answer Cardis Collins letter to Leon -- Kelman has offered to help.

-- Targeted turn-on for construction. Justice won't support now. However, DoD probably willing to consider limited pilot test in West -- extend the 10% price preference to construction in the context of the Justice benchmarking proposal. -- close loop week of 4/22.

3. Justice

-- Justice procurement reform proposal - ok, except for time frame for considering use of set-asides -- options: (1) two years versus or (2) six months - one year; immediate use in egregious cases of underutilization. White House call.

-- Cabinet/POTUS sign-off - Release by end of month?

-- POTUS role in rollout; communication strategy (message???) --media/amplification

4. Other

-- Agency jawboning in use of 8(a) program -- awards off about 10% since October governmentwide, even though overall procurement up about 10%;

-- New Kellman initiatives to spur SDB procurements, etc.

-- Hopewood - Riley letter to State Attorney Generals/University Presidents

5. Leon/Harold Meeting with Weldon Coalition -- May 1????????

Withdrawal/Redaction Sheet

Clinton Library

COPY

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. list	Addresses [partial] (1 page)	n.d.	P6/b(6)
002. memo	Christopher Edley to George Stephanopoulos and the Core Group, re: Affirmative Action: Themes and Hard Questions (7 pages)	4/6/1995	P5
003. notes	Meeting Notes, re: Affirmative Action Hard Cases (2 pages)	4/4/1995	P5

COLLECTION:

Clinton Presidential Records
Cabinet Affairs
Jennifer O'Connor
OA/Box Number: 6500

FOLDER TITLE:

Affirmative Action [1]

Whitney Ross
2008-0308-F
wr480

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
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- C. Closed in accordance with restrictions contained in donor's deed of gift.
- PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).
- RR. Document will be reviewed upon request.

Attorney 4-4

Hard Cases

- 1) Chicago cops → "merit" promoting
- 2) Piscataway - hiring = diff fr firing
something special about work/jobs
Deval - it's law / this case
in the end, someone has to go
Deval: Q = is right to a coin toss more
imp than diversity

Deval:
principles: ≠ lang off more v less qual due to
diversity

Q = can race/gender be tiebreaker

Layoffs:

option 1: race ≠ consideration

2: can't trump seniority / performance

3. race can be 1 of several considerations
race can be a tiebreaker

3) Berkeley Admission

400% = based on factors incl. race / ethnicity

so higher hisp / AA rates than in CA

answer w/ showing 2 whites who got in w/ lower
test scores b/c are rich / legacy

COPY

4) San Bernadino → special remedial prog
for AA → Latino students

prob = withdrew latino & didn't attend
AA class

5) Scholarships
Black only U of Maryland scholarship
Banner

Principle

1. is it a quota
2. is it race only
3. does it trump qualifications

it's remedial so it's ok

Withdrawal/Redaction Sheet

Clinton Library

COPY

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. note	Re: affirmative action (1 page)	n.d.	P5
002. notes	Meeting Notes, re: Affirmative Action (2 pages)	3/5/1995	P5
003. note	Meeting Notes, re: Affirmative Action (3 pages)	3/6/1995	P5
004. memo	G. Stephanopoulos and C. Edley to President Clinton, re: Affirmative Action - The Supreme Court's Adarand Decision (3 pages)	6/12/1995	P5

COLLECTION:

Clinton Presidential Records
Cabinet Affairs
Jennifer O'Connor
OA/Box Number: 6500

FOLDER TITLE:

Affirmative Action [2]

Whitney Ross

2008-0308-F

wr862

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Deval - if Potus + define principles, can't decide
what works

Review means cut to our admin
so Potus ought to speak before to give framework

Kathy - Potus - remind ppl of history &
say now, where do we go & is
it still needed; we want to
have a conversation together
about it

Potus hasn't spent enough, ~~set~~ enough parameters

Convene

soon soon

meeting raceback

say, need convo

~~say~~ laying out principles

tension bc vagueness \Rightarrow Norm + Affaire on some side

probs - can't quantify some of this; also how
can agency produce answers to
some Qs -

of Action: Peña, Cisneros, Fred Garcia, Edley,
GS, Kitty, JMO

Peña: + go back; goals, not quotas; flexible
- divisive; unrest in cities
- Potos speech shld be as healer; won't let us be divided by this;
 and reform but not throw 'em out
⇒ if you're gonna have a goal, need to look at pool -
 is it nat'l search, need to look at availability
"graduation" makes sense; in Denver, there were some
 minutely unbrokers by emitt to move on
 - do it by size or volume of business
 - diff cities have graduated programs
* GS says Potos likes this - when you are a
 multi-millionaire, get out of program
 ⇒ discussions of A from minority/4 to "disadvantaged"
 do this w/ DOT; ends up w/ 4 + blacks;
 works fine
 plus up + coming minority firms get mod 5% older
 firms get it
so ⇒ graduation + "disadv" makes sense
 you'll offend well to do Kōrs; but it's time
Q - how to "cut" economic thru race agenda
 Peña - once you are there, shldn't need
 preference any more

HC - big job to pull back hispanic base; no longer
 loyal; need to be careful to include even as
 much as African-Americans

HC - you can't take a group in & take em out
 Reich - prob w/ economics = Φ here probs that = gender, ~~to~~
 nothing to do w/ econ

you wld lose Φ
 Reich - strong need to justify it w/ something other than
 race

GS - 2 keys - 1st = ec; 2nd = Φ + minorities, as a factor but not
 determined

HC - ec = better for educ & emp't than procurement
 b/c what is a disadv business \rightarrow few pers pple
 hav companies

Extreme cases: Viacom, Piscataway

Reich - set asides = wrong; have goals & bonding prog

HC - good to have these well doing minority firms b/c
 diversity, b/c have their own, etc

GS - gets back to graduation issue

* abuse - HC - only had to be in business for a year
 (so companies wld "front" minority firms)
 - how prevent?

Reich - need to make sure the minor. person has a
 Φ stake in it

HC - joint ventures = by imp't. b/c give opps to
 minorities (major arbiters in firms w/ min.)

Off Action 5-6-95

big mtg
Review -

Kathy - how Secs do it

HC - bring in Edley + team

Rob - need the what + work side - fear it's just
self-justification

HC - can't fix - have outsiders do this

Harriet Michel - Min Bus Devel Council / NYC

GS - concerned that in interest of speed we + have
strongest, most defensible review

- have it be with him; all paper out of wit

DoT, DoD, Comm, SBA, DoE

King: DoD, DoT, ~~GDA~~, NASA

DOL, HHS

everyone is covered; matter of timing,

Speech

history, politics of now, principles he
brings

HC - not a prototypical minority setting; rather a
classic high minded setting → churches counsel
in Midwest or business → neutral to high
tone, serious people

outside DC - in heartland

Subst: here's abuse, here's what should end,
etc.

get Bennett - Cuomo transcript

Angell - get H1 to kill the speech

Cune - Clinton born to give it

Daval - need principles

GS - # want study to be a sham

Angell - need to know what we're taking abt

Bradley or Cuomo will beat us to it

Edley - speech needs edges; but it # all have
to be principles; can be examples - discriin
~~extra~~ gone = on edge

GS - he's not ready to give it

Schmidt - he's painfully unsure

Mar 24 - Daval's testimony

Daval - outline of speech

- 1) about civil rights & his commitment to it
- 2) historical context for CR; goal = integrated
society; celebrate Amer progress on this
- 3) model for # other minorities
matter of conscience for prior generation
that acted
- 4) goal # met \Rightarrow parade thru remaining
probs \rightarrow anecdotes

7 mean bad country but remaining challenges

8 minorities are left out; migrants shut out
call this out

talk abt wedge/division/politics
rest on my watch

say it's hard

need determined to be Potus of whole nation

5) defend what AA is to him

6) say he's gonna support some kind of AA,
that others; there are nuances

he did say race in pool of factors = ok
if flexible, merit ≠ compromised; innocent
victims protected

7) AA = a tool to integrate, extend opps to
hist. excluded people
useful, only if done right way &
to achieve objectives

8) ∴ E.O. or reviews or something - we'll
do this & next that → go review
& the that = out

merit set aside = vulnerable = quota

9) Discrim = still big challenge & to then announce
a short term initiative that gives to base
(like ↑ EEOC, etc) = serious abt
doing smthg on AA

10) Civil - every generation has confronted race; some
forced, others fled; we used to face

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	Michael Waldman to G. Stephanopoulos, re: Draft of AA Paper (4 pages)	5/15/1995	P5
002. memo	Michael Waldman to G. Stephanopoulos, re: Thoughts on AA Speech (1 page)	6/20/1995	P5

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Michael Waldman
OA/Box Number: 6632

FOLDER TITLE:

Affirmative Action Background

Whitney Ross
2008-0308-F
wr906

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
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June 20, 1995

MEMORANDUM FOR GEORGE STEPHANOPOULOS
 CHRIS EDLEY
 DON BAER
 CAROLYN CURIEL

FROM: MICHAEL WALDMAN/MW

SUBJECT: THOUGHTS ON AA SPEECH

To: Michael
Fr: GS
Excellent
ideas.

A few random thoughts on the AA speech:

* *Remember Bill Clinton's original "affirmative action strategy."* Above all, this is a GOP attempt to use the politics of race to trump the politics of class. The original approach of the Clinton campaign and administration was universalist -- if we create a growing economy, provide health care for working families, family leave, rising incomes, etc. etc., then the hot-button racial issues will recede in importance (even if they don't fully disappear). It is the failure of health care that has opened us up on this, more than anything else, in my judgement. But that basic intuition -- what we must do is expand opportunity for everyone; that "angry white males" have a right to be angry, but it is misplaced if it is directed at blacks rather than at leaders who have ignored them; etc. -- still can be a part of the rhetoric. If you did away with all affirmative action, it still wouldn't appreciably expand opportunity or truly increase job security for the angriest of white males.

* *There needs to be an "enemy."* All great speeches have an enemy -- otherwise it's lofty platitudes. The enemy must be sharply etched. I would imagine it's "those who would use race to divide us." An appeal to healing, reconciliation, etc., will sound like so much blah-blah unless it pushes off against something.

* *Stress that we need programs and policies for now.* We need to frame the policy changes we make as being principled and as part of moving to the "right" questions rather than rehashing old questions.

In 1965, the problem addressed was the society-wide impact of a domestic apartheid system (which had been de jure dismantled only a year before).

Now, we still see discrimination, but we face two other problems that are problems for 1995 and that must be dealt with now: a) persistent, self-replicating poverty in the inner-city, which has been cut off from the national economy; b) millions of people, black and white, who have fallen through the cracks as we move the global economy.

Hence, the changes we propose in the set-asides -- still targeting race, but also location and start-up businesses. Nobody would think it intrinsically improper to have either empowerment zones or a contractor preference for laid-off steelworkers who are starting their own business.

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. agenda	AA Meeting with House Democrats (2 pages)	7/14/1995	P5
002. memo	Skip Stiles to Lorraine Miller, re: Politics of Technology Program Attacks (1 page)	3/30/1995	P5

COLLECTION:

Clinton Presidential Records
Legislative Affairs
Lorraine Miller
OA/Box Number: 5926

FOLDER TITLE:

Affirmative Action [6]

Whitney Ross
2008-0308-F
wr907

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

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THE WHITE HOUSE

WASHINGTON

March 14, 1995

Affirmative Action Meeting with House Democrats

DATE: Wednesday, March 15, 1995

LOCATION: Cabinet Room

TIME: 5:30-6:30 pm

From: Pat Griffin and George Stephanopoulos

I. PURPOSE

To consult with Democratic Members of the House on affirmative action and solicit their input on the issue.

II. BACKGROUND

The group that you are meeting with is a subset of a 50 person working group on affirmative action created out of the House Democratic Caucus. This group represents a good cross section of the working group, including geographic diversity, women, African Americans, Asians, and Hispanics.

The Chairs of the Caucus working group are Reps. Clyburn, Lipinski and Lowey. You should also know that Rep. Mfume is Chairing a working group within the Congressional Black Caucus on the issue.

The Members are interested in discussing four issues:

1. They will strongly urge you to delay any action or formal statement on affirmative action until they have had a chance to educate their colleagues on your position. Many of the Members have expressed concern that, in their opinions, outside forces are pushing you to make a quick and definitive statement on your position. They believe that you will be better served if you take as much time as you need to make an informed and thoughtful decision.

You should know that, in an effort to gather advice from Members, Pat Griffin, George Stephanopoulos and Deval Patrick have met with the Congressional Black and Hispanic Caucuses and have scheduled meetings with the Asian, Progressive and Women's Caucuses throughout the remainder of the week. Gil Casellas, Chair of the EEOC, is also meeting with Members to discuss the issue.

2. Members have also expressed concerns about the Interagency Review on affirmative action. The concerns stem from their lack of information on the types of questions being asked and exactly what you are looking for in this review.

You should know that, to answer these concerns, Chris Edley is meeting with the Congressional Black Caucus working group Wednesday morning specifically on the topic of the review. He is willing to hold further briefings if necessary.

3. Several Members have suggested that you establish a national commission to review affirmative action practices and their impact throughout the country. While they do not disapprove of the inter-agency review that we are undertaking, many Members believe that a more national examination of these programs is important.

4. Finally, Members are looking for you to take a firm stand on the issue of affirmative action.

- III. PARTICIPANTS
See attached list.
- IV. PRESS PLAN
White House photo only.
- V. SEQUENCE OF EVENTS
Informal discussion.
- VI. REMARKS
See attached talking points.

COPY

Memo to Lorraine Miller - 3/30/95
From: Skip Stiles (225-8483)
RE: Politics of Technology Program Attacks

We heard yesterday that the Republican Leadership in the House is pushing the high technology industry to go along with the Republican attacks on the high technology programs like ATP and TRP. Apparently the R's are dangling Capital Gains relief as the carrot and have a number of sticks available to punish them if they don't go along.

The specifics are: 1) The R's have a draft letter in support of their position on tax relief, deficit reduction, and the Contract generally. They have reported gotten the National Association of Manufacturers (NAM) to go along. 2) NAM is working the Electronic Industry Association (EIA), who is reportedly ready to sign, and other high tech groups. Other moderate companies, like Dupont, are being pressured as well.

This is obviously an attempt to show support for the Republican tax cut and their rescissions of ATP and TRP. But it also shows an attempt to cut into Clinton's base in the high tech area, critical in California and Texas for starts. The industry quislings are being pushed hard - I have heard this from a number of companies. They will be shunned later in the 104th unless they make changes now and get on board. (The scene is really surreal. Pressure is even being made to change staff at D.C. offices for some companies because there are "too many Democrats" on staff!)

The R's plan to put Democrats in a box by saying, "You want to protect your social programs? Then you should cut these "Corporate Welfare" programs in the technology area. Look, even the industry agrees with us - see this letter? So if you want to keep social programs, just cut these technology programs for starts." We saw the start of this on the recent rescision bill, where people proposed cutting science and technology (mostly NASA) to fund social programs.

We are pushing on this end, but you need to sic the dogs on the high tech folks as well from your end. A letter implying support for the Republican position on technology ("We don't need these industrial policy programs, we just need tax relief to spur the market.") screws us for the rest of this Congress and spills over into the election. Help!

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	Peter Jacoby and Tracey Thornton to Dep. Chief of Staff, re: Legislative Strategy for Defeating H.R. 1909 (4 pages)	7/23/1997	P5

COLLECTION:

Clinton Presidential Records
Legislative Affairs
Janet Murguia
OA/Box Number: 11029

FOLDER TITLE:

Affirmative Action: [Defeating H.R. 1909]

Whitney Ross
2008-0308-F
wr908

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

- P1 National Security Classified Information [(a)(1) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

July 23, 1997

MEMORANDUM FOR THE DEPUTY CHIEF OF STAFF

TO: Sylvia Matthews

FROM: Peter Jacoby
Tracey Thornton

RE: Legislative Strategy for Defeating H.R. 1909 by Representative Canady and S. 950 by Senators McConnell and Hatch

Goals:

You have asked us to prepare a legislative strategy for defeating H.R. 1909 and S. 950, legislation that would prohibit the Federal government from using any race or gender conscious affirmative action programs in contracting, hiring or any other Federal program or activity. To defeat this legislation two goals must be accomplished: 1) unify House and Senate Democrats in opposition to the legislation; and, 2) either convince enough key House and Senate Republican moderates to oppose the legislation or persuade those key moderates to convince their leadership that a floor vote should be avoided due to the political damage such a vote would entail for moderates. We anticipate that floor action in the House and the Senate will not occur before the August recess but it is still critical that we move quickly to implement a strategy for achieving these goals.

Strategy:

Unification of Democrats - House:

The unification of House Democrats must focus on solidifying the position of Democratic moderates - especially those moderates who represent southern, rural constituencies - in opposition to the Canady legislation.

In the House this means four things: 1) an acceptable Democratic alternative must be developed so that Democratic moderates will have a bill they can vote for in lieu of the Canady bill; 2) the Administration must clearly communicate its efforts to bring the federal government into compliance with the Supreme Court's Adarand decision; 3) moderates will have to be shown the impact (especially the economic impact) that the Canady bill will have on their districts; 4) independent third party validators (such as the DLC and others) should approach the moderates to secure their opposition to the Canady bill and their support for a Democratic alternative.

Currently, the leading idea for a Democratic alternative is crafting a legislative proposal to codify the Adarand decision. Ideally, this could be drafted and introduced in a bipartisan manner

and then offered as an amendment by a Democratic moderate or as a Democratic substitute during the House floor debate.¹ House Judiciary Committee staff is currently working with the House Democratic Caucus task force on affirmative action to develop an alternative bill which will be able to win broad support within the diverse Democratic Caucus.

Democratic moderates must also know that the Administration is working hard to bring all of its programs into compliance with the Adarand decision. This gives those moderates (and all other Democrats) an additional argument for voting against the Canady bill. We need to make a concerted effort to produce and communicate a very clear status report of our efforts. Moreover, in those areas where our progress has been slow, we need to show how we are quickly moving to correct those deficiencies.

Additionally, we need to show, on a district-by-district basis, the impact that this legislation will have on federal government programs. In this regard, an economic analysis would be especially helpful for persuading both moderate Democrats (and moderate Republicans) that the bill could result in the loss of valuable contracts by minority and disadvantaged government contractors in their districts. House Democrats are already working to examine the bill's impact by consulting with the agencies to determine which of the most politically popular government hiring and contracting programs would be impacted by the legislation.

As part of this effort, House Democrats plan to show how the bill would negatively impact minority hiring for police and law enforcement programs. It is generally acknowledged that these programs have been responsible for defusing many potentially dangerous race-related law enforcement incidents in areas with a large minority population. Development of both this type of contracting information and hiring information on a district-by-district basis, even if for only the districts of targeted moderates on both sides of the aisle, would be very useful.

In communicating both the Administration's efforts to comply with Adarand and the impact of the bill on specific federal programs, the support and efforts of Cabinet members will be critical. Enlisting the support and time of Cabinet principals to talk to Members of Congress on this issue is critical because they, more than White House principals, can explain exactly what the bill will mean for Members and the federal programs that currently benefit their constituents.

Finally, we should make an effort to recruit third-party validators, like the DLC, to approach the Democratic moderates on this issue. The Vice President could be helpful in this regard in both convincing the DLC to take the right position and in activating them on the issue.

¹ A key question for the Administration with respect to any attempt to codify Adarand would be the measure's enforcement mechanisms. Currently, the only way to enforce our efforts to bring the Administration into compliance with Adarand is by filing a lawsuit. A codification of Adarand would likely include a statutory enforcement scheme that should be reviewed carefully by the Administration.

Unification of Democrats - Senate:

In a meeting earlier this month Senator Daschle promised the civil rights community that Senate Democrats will be united in fighting efforts to dismantle federal affirmative action programs. As proof of this commitment, Senate Democratic leadership staff has been working with other Democratic offices to develop a strategy for defeating the Hatch legislation and any other similar initiative. In this effort staff has asked the Administration for a status report on our efforts to bring federal programs into compliance with the Adarand decision. As in the House, developing and communicating a clear message about our compliance efforts is critical.

The moderate Democratic Senators who are most likely to support Senator Hatch's legislation are Senators Breaux (D-LA), Hollings (D-SC) and Lieberman (D-CT). Senators Breaux and Hollings are up for re-election and Senator Lieberman has been difficult to read on these issues. Senator Lieberman seems to favor economic development-type approaches and it is unclear where he would come out on the Hatch approach. It will be important to maintain open lines of communication with these offices and to work with the Democratic leadership to solidify these votes against the Hatch initiative.

Republican Moderates - House:

We need to convince 20 to 30 House Republican moderates to either vote against the Canady bill or believe that there would be serious political consequences for them if they were to vote for the bill on the floor of the House. If we are successful on either course, and the sentiments of this group is communicated early to their leadership, it is likely that the House Republican leadership would keep the bill from coming to the floor. Similar to the Democratic moderates, a Republican strategy should include the following: 1) an alternative should be developed so that those moderates who wish to vote for an alternative have that opportunity; 2) we must clearly communicate our efforts to bring the federal government into compliance with the Supreme Court's Adarand decision; and, 3) moderates will have to be shown the impact (especially the economic impact) that the Canady bill will have on their districts.

Developing an alternative that drains Republican votes away from Canady is a critical component of a Republican moderate strategy. As mentioned above, the codification of Adarand is already under consideration in the House as an alternative. Such an alternative is likely to pick up some Republican moderate support in the House. Additionally, J.C. Watts (R-OK), who is opposed to the Canady approach, is developing an alternative approach with former Housing Secretary Kemp. This measure should also draw support from Canady. More importantly, since Watts is a leading Republican spokesman on the issue, and close to the Speaker, his opinion on whether the Canady bill proceeds to the House floor will be critical.

The remaining components of a Republican moderates strategy - communication of Administration efforts, and developing a district-by-district impact analysis - are similar to the components discussed above with respect to the Democratic moderates strategy.

Senate Republicans:

Like the House, the key to defeating this legislation is to split moderate Republicans from the bill. We have two advantages in the Senate, however, that we don't have in the House. First, Senate Republicans are generally more moderate than their House counterparts and two, the confirmation process for Bill Lee will allow us to lay the groundwork for defeating the Hatch bill when it is considered by the Senate.

The more moderate nature of Senate Republicans is already evident in a fight over Committee jurisdiction for the Hatch bill. Early on, Senator Hatch moved (with Senator Lott's support) to keep the bill out of the Senate Labor Committee which is chaired by Senator Jeffords (R-VT), a leading moderate. Moreover, Senator McConnell, the lead cosponsor of the Hatch bill, is a new member of the Labor Committee so his cosponsorship is probably a signal to Senator Jeffords that McConnell will be the leadership point-man on the Labor Committee if the bill has to go through that Committee. Despite this maneuvering, however, if the attempt is made to move the Hatch bill through either of these Committees at this point, it would be a close call as to whether or not Republicans would have the votes to pass the bill out of committee.

An additional factor moderating the Senate Republicans is that the women in their caucus, prodded by the Democratic women Senators, will likely make any move to generally abolish affirmative action uncomfortable for their caucus.

The second advantage in the Senate arises from the opportunity to establish our message, and respond to the "sound bites" by Senator Hatch and his supporters, during the confirmation process for Bill Lee. Through this process, Republicans will be able to assess their resolve in their caucus to take on this issue. Bill Lee will have to make a compelling case for affirmative action. He, in essence, will be our first real dialogue with Senate Republicans on race and other related matters. To the extent that he is successful, not just in being confirmed, but in making a strong stand, he will advance the ball significantly in the Senate on this issue because he will help lay the foundation for the next round of the discussions. If we can make our case properly during this process, Republicans will be reluctant to simply abolish affirmative action outright.

cc: John Hilley
Janet Murguia

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	Under Secretary of Defense to Edley, re: Affirmative Action Review (3 pages)	4/7/1995	P5

COLLECTION:

Clinton Presidential Records
Public Liaison
Alexis Herman/Ruby Moy
OA/Box Number: 5916

FOLDER TITLE:

Affirmative Action [4]

Whitney Ross
2008-0308-F
wr910

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
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PERSONNEL AND
READINESS

UNDER SECRETARY OF DEFENSE
4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000



APR 7 1995

MEMORANDUM FOR CHRIS EDLEY

SUBJECT: Affirmative Action Review

I am pleased that the President has ordered a review of affirmative action. The effort is long overdue. It should have been done in the 1980s, but the Reagan and Bush administrations lacked the interest and moral authority to treat the topic credibly. The Clinton administration has an advantage here, and should use it creatively. Beyond assessing laws and programs, President Clinton should use this occasion to renew our national conversation on race. Let me offer two observations about the review, then suggest how the President can take us to a higher plane.

THE REVIEW

First, you and George should continue to press us to define, categorize and assess our policies and programs. Public attitudes have been skewed by the critics' success in defining affirmative action as preference. When pollsters define it that way, they find -- surprise! -- that the public opposes it (because the public opposes preferences). Rich Morin's report on a recent WP/ABC survey is a classic example. We also need a typology that, at minimum, distinguishes between remedial programs (the kind courts impose to remedy past discrimination) and inclusive programs (those that companies or colleges voluntarily undertake to achieve greater diversity or some other social good).

Our assessment of a specific program's effectiveness and legal soundness depends on how its purpose is defined. As we make those assessments, we must avoid conflating class and race. Some of the continuing argument about the Great Society stems from confusion over whether a particular program was supposed to solve a class problem or a race problem. Lyndon Johnson may have blended the two for good tactical reasons. We could do the same thing, as long as we understand the ramifications. We also must avoid a logical fallacy that many people commit when they try to distinguish between equal opportunity and equal results. That distinction holds for individuals, but not for large groups. (I wrote a book on this.)

Second, we need to put the current review into perspective. Although the public debate centers on affirmative action, the issue is driven by deep, unresolved questions about race and color in America. We could develop intellectually compelling responses to current complaints about affirmative action and still not address the visceral concerns that drive the politics of this issue. This is a case in which cogent policy analysis will be helpful only at the margin.



COPY

Therefore, we should see the review as part of a long campaign. Affirmative action has been under concerted attack for a number of years, with its critics often dictating the terms of the debate. A few speeches and policy pronouncements are not likely to have much effect against that relentless onslaught. So, in addition to good analysis, we need a multifaceted, long-term campaign to win hearts and minds. Someone needs to develop a media strategy; and someone needs to energize leaders, scholars and advocates.

PRESIDENTIAL LEADERSHIP

What should be President Clinton's public role? On this as on other controversial issues, it is more important that a President show moral conviction than that he demonstrate mastery of the subject matter. The public wants to know where the President stands and where he wants to lead the nation. He should provide the moral impetus for a national conversation on this subject.

Our nation has gone through more than two centuries of interrupted conversations about race. Virtually every generation has one; often it ends raggedly and unconstructively. But the President and many others in this Administration were members of a generation that saw struggle and sacrifice produce positive results. Many of us participated in the civil rights movement. Few of us emerged from the 1960s without having engaged in a serious conversation about race.

Since the 1960s, however, the focus has shifted from moral fundamentals to questions of enforcement and program administration; so the issue has come to be dominated by lawyers and policy experts. The public voice has surfaced only in sporadic outbursts.

The transition from movement to bureaucracy has had two unfortunate ramifications. One is that a generation has come of age without having to confront its hopes and fears about matters of race and color. When I, as a teenager, experienced discrimination, I was aware that many others were struggling with the same thing. When my teenage daughter confronts race, she does it alone, or in brief, furtive exchanges with a few friends. And, she is not dealing just with black and white; her world is a spectrum of colors. Another ramification is that the moral fundamentals have become separated from the bureaucratic details. This often happens when moral principles are digested into statistical standards; it causes political dyspepsia.

We need to remind ourselves how we got to this point and consider where we go from here. President Clinton is the perfect person to start us on that path. Few national leaders have greater moral credibility than he on this issue, or greater facility for engaging the public in dialogue. One of the keys to his campaign was the empathy he projected during town hall meetings. I do not propose the President actually conduct such a conversation. Others can do that, guided perhaps by materials from NEH, the Southern Poverty Law Center or the Kettering Foundation. The President should provide the broad moral contours.

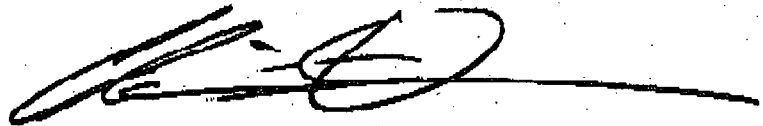
What should the President say? Think in terms of a speech (with several iterations) that allows him to reflect on generational change -- on heritage and hope. President Clinton could begin with reflections about growing up in a country where racial inequity was legally mandated and opportunities for women were greatly circumscribed. Next, he could assess our current

condition: the progress we've made; the evidence of continuing discrimination; the inequities that the current generation has inherited from the past; the complexities of race, color and gender today. Finally, he could describe the world that he would like his daughter to inherit.

CONCLUSION

In short, we need (1) a moral vision, provided by the President; (2) the review, to help clarify and refine affirmative action policies and programs; and (3) a strategy that links, in the public mind, the moral fundamentals with the program mechanics.

Thanks for including the Defense Department in this effort. I hope the materials we've provided on the military experience have been useful and that the suggestions offered above don't lead you astray. Please call me if I can help further.

A handwritten signature in dark ink, consisting of a stylized, cursive script that appears to be "R. D." followed by a long horizontal line extending to the right.

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	Marilyn Digiacobbe to Alexis Herman, re: AA and the White Ethnic Constituency (2 pages)	7/15/1995	P5
002. letter	Deval Patrick to George Stephanopoulos (3 pages)	7/10/1995	P5

COLLECTION:

Clinton Presidential Records
Public Liaison
Alexis Herman/Ruby Moy
OA/Box Number: 7661

FOLDER TITLE:

[Affirmative Action] [Folder 1]: [Affirmative Action] Af Ac Rollout

Whitney Ross
2008-0308-F
wr911

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

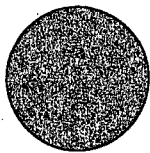
P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.



COPY

July 15, 1995

cc: Debra June

MEMORANDUM FOR ALEXIS HERMAN

FROM: MARILYN DIGIACOBBE

SUBJECT: AFFIRMATIVE ACTION AND THE WHITE ETHNIC
CONSTITUENCY

This is an issue which presents challenges for the Administration amongst the white ethnic community. This constituency, like the rest of the country, understand that injustices exist and that they need to be corrected, but many do not feel a sense of personal responsibility and don't view themselves as any part of the equation.

In order for us to minimize negative impact amongst this constituency on the President's Affirmative Action speech, it is important for the President to make some connection with this audience in his speech. It would be helpful if the President would talk about the fact that we want all the immigrants of this nation to get ahead on their own ability, and that in giving to one person we are not taking it away from others but helping the entire society to grow and benefit. What we are doing is helping the family of America to move forward together. I think the weaving in of the common ground message, and the acknowledgement that there needs to be some economic basis for Affirmative Action programs will help. It will appeal to the better nature in people.

I will focus on touching base and energizing supporters of the President in the white ethnic communities to affirm the President's Affirmative Action message. My focus is on key community leaders and supporters in the following constituencies: Polish, Italian, Irish, Greek, Armenian, Hungarian, Portuguese, and Ukrainian-American groups.

Goals of the effort:

- * Touch base with key community leaders and supporters prior to Wednesday as a courtesy, to let them know what the President's message will be.
- * Provide talking points to key community leaders and supporters that are geared to the white ethnic community.
- * Conduct conference call(s) with key supporters who will support and affirm the President's message in their community. (List attached.)
- * Appeal to high-profile supporters and elected officials to validate the President's message in the media.

COPY

Targeting high-profile supporters and elected officials to validate.

High-profile supporters:

Mario Cuomo

Recommendation: That the President or Leon Panetta call him prior to the speech. Ask Mario Cuomo to speak out, and to use his Saturday Radio program to have a dialogue on Affirmative Action. Possibly, have Leon Panetta or other surrogate go on the radio program.

Michael Dukakis

Tony Coelho

Recommendation: George Stephanopoulos should call, get their input and ask them to speak out.

Elected officials:

Sen. Barbara Mikulski

Sen. Paul Sarbanes

Sen. Bill Bradley

Sen. Joe Biden

Rep. Nancy Pelosi

Rep. Marcy Kaptur

Rep. Rosa DeLauro

Rep. David Bonior

Recommendation: These are members that connect with their white ethnic constituency and have some appeal. Sen. Mikulski in particular, is articulate and effective on this issue and connects with the white ethnic working class. These members should be included in the Congressional outreach done prior to Wednesday and asked to validate.

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	Leon Panetta to the President [partial] (1 page)	07/14/1995	P6/b(6)
002. list	Affirmative Action Conference Calls [partial] (1 page)	n.d.	P6/b(6)
003. list	Black Radio Talk Shows [partial] (1 page)	n.d.	P6/b(6)
004. memo	Stephanopoulos and Edley to POTUS, re: AA - Speech, Review, and Policy Decisions (11 pages)	6/27/1995	P5
005. memo	Marilyn Digiacobbe to Alexis Herman, re: AA and the White Ethnic Constituency (2 pages)	7/15/1995	P5
006. memo	Stephanopoulos and Edley to POTUS, re: AA - Decision on Post-Adarand Steps and Completion of the Review (6 pages)	7/19/1995	P5
007. memo	Stephanopoulos and Edley to POTUS, re: AA - Decision on Post-Adarand Steps and Completion of the Review (5 pages)	7/19/1995	P5
008. note	R to AMH [partial] (1 page)	n.d.	P6/b(6)
009. memo	Stephanopoulos and Edley to POTUS, re: The Supreme Court's Adarand Decision (3 pages)	6/12/1995	P5

COLLECTION:

Clinton Presidential Records
Public Liaison
Alexis Herman, Ruby Moy
OA/Box Number: 5915

FOLDER TITLE:

[Affirmative Action - Speeches, Outreach, and Adarand] [1]

Whitney Ross
2008-0308-F
wr514

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).


RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
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July 15, 1995

MEMORANDUM FOR ALEXIS HERMAN

FROM: MARILYN DIGIACOBBA 

SUBJECT: AFFIRMATIVE ACTION AND THE WHITE ETHNIC CONSTITUENCY

*Alexis -
Can you think of
additional high
visibility people who
speak to the white
ethnics?*

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	Ofield Dukes to Alexis Herman [partial] (1 page)	06/13/1995	P6/b(6)
002. letter	Lawrence Perlman to Alexis Herman [partial] (1 page)	07/11/1995	P6/b(6)
003. letter	Lawrence Perlman to Alexis Herman [partial] (1 page)	07/11/1995	P6/b(6)
004. memo	Deval Patrick to John Schmidt, re: Response to Adarand and Alternatives to a Commission (2 pages)	6/14/1995	P5
005. letter	Weldon Latham to Harold Ickes, re: Presidential Solution to Republican Attacks on Minority and Female Business Set-Aside Programs (4 pages)	6/7/1995	P5
006. memo	Shirley Wilcher to Thomas Williamson, re: Follow-up to Meeting with Kelman, Eldey et al. (2 pages)	5/10/1995	P5

COLLECTION:

Clinton Presidential Records
Public Liaison
Alexis Herman, Ruby Moy
OA/Box Number: 5915

FOLDER TITLE:

Support

Whitney Ross

2008-0308-F

wr518

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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MAY 10 1995

MEMORANDUM FOR THOMAS S. WILLIAMSON
Solicitor of LaborBERNARD E. ANDERSON
Assistant Secretary, ESAFROM: SHIRLEY J. WILCHER *SW*
Deputy Assistant Secretary

SUBJECT: Follow-up to Meeting with Kelman, Edley et al.

I feel very strongly that the Secretary needs to begin to express the views of the Department of Labor regarding Mr. Kelman's streamlining proposals as they affect OFCCP. First, regarding the most potentially harmful proposal for this agency, the "flow down" to commercial subcontractors, what I find most troubling is that Office of Federal Procurement Policy (OFPP) had no indication of the potential impact of such a proposal on the contract compliance program, and had no data regarding the number of contractors or potential contractors affected, the universe of subcontractors generally, or the numbers of persons potentially affected. Even the definition of a commercial contract as viewed by OFPP remains a mystery to me. If OFCCP or the Department of Labor were to make such a sweeping recommendation to OMB, we would not have been given five minutes before being sent back to do more study. I suggest that the Kelman proposal deserves the same treatment. In any correspondence with the President's Chief of Staff, the Secretary should so recommend.

More importantly, for the President to be asked to explain why the Federal government would permit potential contractors to be exempt from the Executive Order simply because they did not want to comply with the affirmative action and nondiscrimination requirements is sheer folly and is political suicide. The questions that would flow from such a pronouncement, including why these particular subcontractors were selected and none in the defense or construction industries; what the impact of such a proposal would be in terms of the universe of companies included and the numbers of women and minorities excluded (an unanswered question); and whether this indicates a major reversal from prior administrations, could be very embarrassing. For the record, Clinton and Reagan would share the dubious distinction of being the only two presidents that did not act to strengthen the Executive Order program since 1941.

Working for America's Workforce

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Similarly, raising the threshold to \$100,000, thereby excluding 21 percent of the contractor universe, for the sake of facilitating the procurement process is extremely inadvisable. This is true most importantly because this action will have been done for the convenience of the contracting agencies and not for the contractors. As you indicated, the symbolic value of raising the threshold when there has not been a clamor to do so (although it has been suggested before) and before there is a political need is also political folly. Raising the threshold should be done only when we have no other option, e.g., when Congress demands it and OFCCP's appropriation is at stake. It is at best a fall-back position.

Lastly, the preaward review process does not belong at the table during a review of the principles of affirmative action. The OFPP proposals to eliminate preawards are only made for the convenience of the contracting agencies, not for the "angry white male." Neither he nor the contractors will benefit if we eliminate preawards. Moreover, if we eliminate the program we must have assurances that we will receive notices regarding the award of prime contracts and any known subcontracts within two days of the award. The contract information must be sent to OFCCP's regional offices or the National Office directly from the agencies, so we will not have to rely on the Federal Procurement Data System that notifies us of the award of the contract up to six months after the award. To have to rely on the FPDS is unacceptable.

Frankly, it is disheartening to have to debate the very issues that we fought so hard to defeat under the Reagan Administration. While we all understand the political environment in which we work, it is not clear to me why these proposals need to be addressed at this time and why the President needs to incur the wrath of the civil rights community and its constituents, when there is little perceptible benefit to the angry white male. Moreover, it does little good to say that he supports the principles of the Executive Order while allowing OFPP to effectively eviscerate the program. Clearly, very few in both communities will be deluded about the actual impact of such a policy.

Withdrawal/Redaction Sheet

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. list	Attendees for 9:30 Meeting [partial] (1 page)	07/14/1995	P6/b(6)
002. list	Addresses [partial] (1 page)	07/21/1995	P6/b(6)
003. memo	Barbara Woolley to Deborah Fine [partial] (1 page)	07/10/1995	P6/b(6)
004. list	Women's/Civil Rights Names [partial] (1 page)	n.d.	P6/b(6)
005. memo	Barbara Woolley to Deborah Fine [partial] (1 page)	07/10/1995	P6/b(6)
006. list	Proposed List of Invitees for Monday Dinner with POTUS [partial] (2 pages)	03/09/1995	P6/b(6)
007. list	AA Callers - Constituents [partial] (2 pages)	n.d.	P6/b(6)
008. list	Meeting with Women Business Owners on AA (1 page)	6/26/1995	P5

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Clinton Presidential Records
Public Liaison
Barbara Woolley
QA/Box Number: 23688

FOLDER TITLE:

Affirmative Action Documents 1 [2]

Whitney Ross

2008-0308-F

wr481

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

MEETING WITH WOMEN BUSINESS OWNERS ON AFFIRMATIVE ACTION

Monday, June 26, 1995

3:15 PM - 4:15 PM

Room 180, OEOB

PPARTICIPANTS: Lynne Revo-Cohen, Hubbard and Revo-Cohen, Inc.

Laura Henderson, Prospect Associates

Karen Hastie Williams, Esq., Crowell & Moring

Judy Lichtman, Women's Legal Defense Fund

Audrey Haynes, Business and Professional Women

Amy Millman, National Women's Business Council

Shirley Blase, Women Construction Owners and Executives

Lynn K. Claytor, Contract Compliance, Inc.

Marcia Greenberger, National Women's Law Center

Hope Eastman, Paley, Rotham, Goldstein, Rosenberg & Cooper

Kathleen T. Schwallie, Esq., Women Business Owners Corporation

Lillian B. Handy, TRESP Associates, Inc.

Etienne R. LeGrand, Women's Initiative for Self-Employment

Amelia Parker, Executive Leadership Council

DNC

Minyon Moore

Caren Wilcox

White House

Harold Ickes

George Stephanopoulos

Chris Edley

Doug Sosnik

Betsy Myers

Barbara Woolley

Judy
marcia

①. Hope Eastman

①. amy Millman
①. Hedy Ratner *
WBDC

①. Nancy Zirkin
①. Rayleen Acuedo
①. Linda Tan Whelan

①. Patty DeDominic

①. Audrey Haynes

①. Shirley Blase

①. Amelia Parker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. letter	Phyllis Watkins to Elizabeth Myers [partial] (1 page)	07/20/1995	P6/b(6)
002. memo of call	Elaine Clift [partial] (1 page)	n.d.	P6/b(6)
003. fax	Andrea Wolper to POTUS [partial] (4 pages)	07/21/1995	P6/b(6)
004. memo of call	Dorothy Davis to POTUS [partial] (1 page)	n.d.	P6/b(6)
005. fax	Holly Monsos to White House/Women's Issues [partial] (1 page)	07/21/1995	P6/b(6)
006. letter	Sherry Koehler*Alpern to POTUS [partial] (1 page)	07/19/1995	P6/b(6)
007. letter	Sherry Koehler Alpern to POTUS [partial] (1 page)	07/19/1995	P6/b(6)
008. list	White House List (2 pages)	3/8/1995	P5
009. list	Proposed List of Invitees for Monday Dinner with POTUS [partial] (2 pages)	03/09/1995	P6/b(6)

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Public Liaison
Barbara Woolley
OA/Box Number: 23688

FOLDER TITLE:

Affirmative Action Documents 2 [1]

Whitney Ross
2008-0308-F
wr482

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

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Recipient of 1994 McArthur Genius Award

- Henry Lee
- #2 1. Stephen Carter - wrote author II
moderate, elitist
- #3 2. Patty McDermott - know issue? III
- #4 3. Judy / Maiche - IV
- #3.4 Paul Gentaerts - II
5. Muley Gwili Willie ~~II~~ I
6. Larry Fuchs II
7. Ray Marshall II / ~~George Schultz~~ 2
8. Mary Frances Berry I
Glen Hower II
9. Hugh Rice I
10. William Julius Forst II
11. Anthony Handley III / IV - Susan
12. ~~George Schultz~~ II ~~II~~ ~~III~~
13. Chair Lynn Lier - fits Asia / Western - DOIs
14. Ernesto Cortes
15. ~~Stanley Reine~~
15. Hispanic more left
16. Lane Kirkland. AFLCIO I
17. Disu
18. Lewis
19. David Gupstein
20. Andrew Young
21. ~~Harold Hightmaster~~
- 6 W Percy Sutton
- Bob Johnson
- Claine Jones
- ~~Ann Richards~~
- ~~1. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21.~~
- white women Ann Richards
- who do you
bring in that
relevant to
conversation?
press will go to?

Withdrawal/Redaction Sheet

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	Lynn Cutler to Harold Ickes et al. [partial] (1 page)	03/08/1995	P6/b(6)
002. memo	Betsy Myers to Barbara Woolley, re: Recommended Names for President's Affirmative Action Event (2 pages)	3/13/1995	P5
003. memo	Betsy Myers to President Clinton, re: Speech to DNC Chairs (1 page)	7/12/1995	P5

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Public Liaison
Barbara Woolley
OA/Box Number: 23688

FOLDER TITLE:

Affirmative Action Documents 2 [2]

Whitney Ross

2008-0308-F

wr483

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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U.S. SMALL BUSINESS ADMINISTRATION
WASHINGTON, D.C. 20416



M E M O R A N D U M

DATE: March 13, 1995

TO: Barbara Woolley

FROM: Betsy Myers, Assistant Administrator
Office of Women's Business Ownership *Betsy*

SUBJECT: Recommended Names for Presidents Affirmative
Action Event

- 1) Hedy Ratner
Director
Women's Business Development Center
8 South Michigan Avenue, Suite 400
Chicago, IL 60603
PHONE - 312-853-3477 FAX - 312-853-0145

--Member of National Women's Business Council
- 2) Kathleen T. Schwallie
Chevalier Law Firm
18 Encanto Drive
Rolling Hills Estates, CA 90274-4215
PHONE - 310-530-0582 FAX - 310-530-1483

--National Association of Women Business Owners
Procurement Task Force
- 3) Shirley Blase
Executive Director
Women Construction Owners & Executives
1000 Duke Street
Alexandria, VA 22314
PHONE - 703-684-6060 FAX - 703-836-3482

*Barbara -
all 3 of the above
are major women's
supporters and activists.
all 3 are BIG Clinton
supporters as well!
They are all involved
in the affirmative
action debate and would come
+ their own
expense etc.
B-*

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e-mail 75334.2560@compuserve.com

To: Barbara Woolley
FYI
Betsy

FACSIMILE TRANSMITTAL

DATE: March 11, 1995

TO: Doug Sosnik
George Stephanopolis

CC: The Hon. Barbara Boxer
The Hon. Dianne Feinstein
The Hon. Jane Harman
Betsy Myers

FROM: Kathleen T. Schwallie

MESSAGE: I am writing on behalf of the National Association of Women Business Owners as co-chairperson of its Procurement Special Interest Group. We are confident that upon completing his review of federal affirmative action programs, the President will conclude that goals programs which remediate for discrimination against women-owned firms have succeeded, and that only by retaining these programs and enhancing them can women contractors make further gains.

In 1993, only 1.8% of federal government contracts were awarded to women-owned businesses despite the fact that they comprise approximately 30% of all businesses in this country. The taxpayers are not receiving the best value for their tax dollars when many of this country's most efficient and innovative firms--women-owned firms--do not have the opportunity to compete. And that is all they want is to compete - not to be given preferential treatment.

NAWBO supports the continuation of all goals programs for women-owned businesses. Replacing goals programs with others based on "need" will not ensure we have a gender-blind procurement system. NAWBO does not support set-aside programs.

This Administration has taken an important step forward to reform these programs by pursuing the use of certification of women-owned businesses, rather than self-certification. In the future, only those businesses which are truly owned and controlled by women will benefit from goals programs.

The President must not retreat on enforcement of equal opportunity laws. His leadership on this issue will be pivotal to their continued success.

Number of pages, including this transmittal sheet: 1